

**MINUTES OF COUNCIL MEETING
JANUARY 11, 2007
6:30 P.M.**

The Murray City Council met in regular session on Thursday, January 11, 2007, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Seargent, Pat Scott, and Bill Wells.

Council Members Absent: None.

Staff Present: J. L. Barnett, Ken Claud, Michael Skinner, Candace Dowdy, David Roberts, Dennis Thompson, Don Rogers, Thomas Clendenen, Carol Roberts, Don Rogers, Matt Mattingly, Philip Morris, Gail Mullins, Harla McClure, and Warren Hopkins.

Minutes of the council meeting held December 14, 2006, were presented for approval. **Mr. Billington moved, seconded by Mr. Lancaster,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Rita Burton, Calloway County Solid Waste Coordinator. Ms. Burton was present to provide information regarding a computer recycling program that will be conducted in conjunction with Make a Difference Day on Saturday, January 13th. This was made possible due to a federally funded grant received by the EPA, Division of Waste Management Kentucky Recycling Assistance Program.

Ordinance Number 2007-1434 (first reading) an ordinance authorizing the issuance of hospital facilities revenue bonds (Murray-Calloway County Public Hospital Corporation Project), Series 2007 of the City of Murray, Kentucky in a principal amount not to exceed \$30,000,000. The proceeds of which shall be loaned to Murray-Calloway County Public Hospital Corporation, a Kentucky nonprofit corporation, to finance the acquisition, construction, installation and equipping of certain hospital facilities located within the City of Murray, Kentucky which are suitable for use in the furtherance of the health care and health related purposes of Murray-Calloway County Public Hospital Corporation; authorizing the issuance of additional bonds; providing for the pledge of revenues for the payment of such bonds; authorizing a loan agreement and indenture appropriate for the protection and disposition of such revenues and to further secure such bonds; authorizing a bond purchase agreement, a tax regulatory agreement, and a continuing disclosure agreement; and authorizing other actions in connection with the issuance of such bonds was presented to the council for approval. **Mr. Billington moved, seconded by Mr. Pittman** to approve said Ordinance.

Keith Bailey, CEO for Murray Calloway County Hospital, and Dwight Salsbury from Ross, Sinclair and Associates were present to provide additional information. Mr. Salsbury

stated that their company is the underwriter of the project, which means the firm will be the initial purchaser of the bonds and they will in turn offer them to the public for purchase. He stated this ordinance is similar to an industrial revenue type bond. The City of Murray acts as the issuer of the debt and immediately loans the proceeds to the hospital and the hospital will make the scheduled debt payments directly to the trustee bank, which in turn pays them to the bond holders. The City does not have any liability; they are acting purely acting as the conduit issuer.

Mr. Salsbury stated that the bond holders' security is from two sources: 1) pledge of revenue from the hospital and 2) a lien on the property.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Sargent, Pat Scott, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2007-1434 approved on a first reading.

Ordinance Number 2006-1427 (second reading) an ordinance pursuant to KRS 81A.412 annexing a 10.647 acre tract of land located in Gibbs Store Road and a 0.355 acre portion of right-of-way on Gibbs Store Road, Murray, Kentucky, with said property being owned by Patrick Sean Kelly and Huong Dinh Kelly was presented to the council for a second reading. The Planning Commission recommended this annexation by a vote of 8-0 because the property is contiguous to the city boundaries; per the city's policy, since the Kelly's are requesting city utility services, annexation is required; and the property falls within the Urban Services Area for the city. **Mr. Sargent moved, seconded by Dr. Miller** to adopt said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Sargent, Pat Scott, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1427 adopted on a second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2006-1428 (second reading) an ordinance annexing a 1.036 acre tract of land located on King Richard Drive was presented to the council for a second reading.

Said property is located at 225 King Richard Drive and consists of lots 3 and 4 in Unit 3 of Sherwood Forest Subdivision and the right-of-way on King Richard Drive. The property is owned by Dwain and Margot McIntosh. The Murray Planning Commission recommended this annexation by a vote of 8-0 because it is contiguous to the city boundaries to the north and east; per the city's policy, since the McIntosh's are requesting city utility services, annexation is required; and the property falls within the Urban Services Area for the city. **Mr. Lancaster moved, seconded by Mr. Wells** to adopt said ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Seargent, Pat Scott, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1428 adopted on a second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2006-1432 (second reading) an ordinance zoning as R-2 (single family residential) property located at 225 King Richard Drive was presented to the council for a second reading. Said property is owned by Dwain and Margot McIntosh. The Murray Planning Commission recommended said zoning by a vote of 9-0 based on the following findings of fact: 1) the proposed zoning is in line with the future land use map; 2) the surrounding area is zoned R-2 due to the recent southwest annexation; 3) the property owner requested R-2 zoning as the property will be used for single family residential living. **Mr. Pittman moved, seconded by Mr. Lancaster**, to adopt said Ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: **AYES:** Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Seargent, Pat Scott, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance-Number 2006-1432 adopted on a second reading

Ordinance Number 2006-1433 (second reading) an ordinance zoning the proposed annexation of an 11.002 acre tract of land located on Gibbs Store Road be zoned R-2 (single family residential) was presented to the council on a second reading. Said property is owned by Sean and Huong Kelly and consists of 10.647 acres with a 0.355 acre right-of-way. The Planning Commission recommended said zoning by a vote of 9-0 based on the following

findings of fact: 1) the proposed zoning is in line with the future land use map; 2) the adjacent property, which is in the city limits, is zoned R-2 due to the recent southwest annexation; 3) the subdivision located to the north and south, which are in the county, are single family residential in nature; 4) the property owner requested R-2 zoning as the property will be used for single family residential living. **Mr. Seargent moved, seconded by Mr. Billington** to adopt said Ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Butch Seargent, Pat Scott, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1433 adopted on a second reading and recorded in Ordinance Book Number 6, Page _____.

Resolution Number 207-001 a resolution regarding the pre-application by the Murray Calloway County Park Board to the Department of Local Government for assistance under the National Recreational Trails Fund Program in the estimated amount of \$100,000 was presented to the council for approval. **Mr. Wells moved, seconded by Mr. Pittman** to approve said resolution.

Mayor Rushing recognized Matthew Martin, Parks Director, and requested that he provide additional information. He stated that the main concerns during the public input meeting were safety and security. He stated there are no sidewalks off of Doran Road. Mr. Martin stated the program is normally 80/20, which 80% is federal. Since the land was donated, there is no money that needs to be used because the value of the land is the 20%. What are being requested under this grant are a ¼ mile walking trail, small ADA accessible restroom, and a 50 space parking lot. He stated that it will be a very passive area and will not have ball fields or lighting. He stated that the Park Board approved a part time Park Ranger which will run from May through September. There will be two part time Park Rangers who will work from 6:00 p.m. to 10 p.m.

With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Resolution Number 2007-002 a resolution regarding the pre-application by the Murray Calloway County Park Board to the Department of Local Government for assistance under the Land and Water Conservation Fund Act of 1965 in the estimated amount of \$75,000 was presented to the council for approval. **Mr. Hudspeth moved, seconded by Dr. Miller** to approve same.

Mr. Martin stated that this grant is for a playground for 5-12 year olds, a tot lot for 2-5 year olds, and a pavilion.

With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 001-2007 appointing city officials to specific committees, boards and commissions was presented to the council for approval. **Mr. Wells moved, seconded by Mr. Billington** to approve said order. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 002-2007 appointing Mary Anne Medlock to the City of Murray Planning Commission to fill the unexpired term of David Ramey to expire September 9, 2008, was presented to the council for approval. **Mr. Lancaster moved, seconded by Mr. Billington** to approve said order. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 003-2007 appointing individuals to the Senior Citizens Board for a one year term to expire January 1, 2008, was presented to the council for approval. **Dr. Miller moved, seconded by Mr. Billington** to approve same. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

With no further business to come before the council, the meeting adjourned at 7:10 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure, City Clerk